

Docket No.: FANT-P002

PATENT

-15-

98. (New) The system of claim 93, wherein said transceivers operate according to a time division multiple access frame definition to synchronize said network system.

99. (New) The system of claim 98, wherein each said transceiver further comprises:

- (a) a data modulator; and
- (b) a data demodulator.

100. (New) The system of claim 99, further comprising a time division multiple access frame structure having a master slot, a command slot, and a plurality of data slots.

101. (New) The system of claim 100, wherein each said transceiver further comprises:

- (a) a data modulator; and
- (b) a data demodulator.

102. (New) The system of claim 100, further comprising a time division multiple access frame structure having a master slot, a command slot, and a plurality of data slots.

103. (New) The system of claim 93, further comprising a time division multiple access frame structure having a master slot, a command slot, and a plurality of data slots.--

---

#### REMARKS

Reconsideration is respectfully requested. Claims 1-2, 4, 6-8, 10-14, and 16-103 are pending. Claims 1-2, 4, 6-8, 10-14, and 16 are rejected. Claims 3, 5, 9, and 15 are objected to. Claims 3, 5, 9, and 15 are cancelled herein without prejudice.

Claims 17-103 are new.

For the reasons set forth below, Applicants respectfully submit that all pending claims are allowable.

Docket No.: FANT-P002

PATENT

-16-

### I. Indefiniteness Rejections

Claim 4 is rejected under 35 USC §112 as lacking antecedent basis for the limitation "said protocol." See Office Action, p.2

As can be seen from the above, claim 4 is now directed to the subject matter of claim 1 further including a frame definition having a master slot, a command slot, and a plurality of data slots, said master slot having a master sync code, a protocol operating in slotted aloha mode and time division multiple access mode, said master device managing said protocol and said data slots in said protocol.

Therefore, Applicants respectfully submit that claim 4 is now allowable, and request the Examiner to approve the proposed changes to claim 4 and withdraw the indefiniteness rejection thereto.

### II. Anticipation Rejections

Claims 1-2, 6-8, 10-14, and 16 are rejected as anticipated by U.S. patent No. 5,644,576 ("Bauchot"). See Office Action, p.2.

It is well established that anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. W.L. Gore & Associates v. Garlock, Inc., 220 USPQ 303, 313 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). As such, for anticipation rejection, all of the elements and limitations of the claim must be found within a single prior art reference. Scripps Clinic & Research Foundation v. Genentech Inc., 18 USPQ 2d 1001, 1010 (Fed. Cir. 1991). Moreover, the Examiner bears the initial burden of establishing a prima facie case of anticipation. In re Warner, 154 USPQ 173, 177 (CCPA 1967), *cert. denied*, 389 U.S. 1057 (1968) (stating that the statute clearly "places a burden of proof on the Patent Office which requires it to produce the factual basis for its rejection of an application under sections 102 and 103.").

In referring to various portions of the Bauchot reference, the Examiner asserts that claims 1-2, 6-8, 10-14, and 16 are anticipated.

Docket No.: FANT-P002

PATENT

-17-

As understood, Bauchot is directed to a data communication scheme between remote stations and a base station, and in particular, the variable frame structure consisting of a frame header following by interleaved periods of three different types, Type A periods allocated for outbound channel for data transfer from the base station to the remote stations, Type B periods allocated to the inbound channel used for data transfer from the remote stations to the base station, and finally, Type C periods reserved for control channel for data transmission (such as reservation request and data) from the remote stations to the base station. See Bauchot, Abstract, lines 8-20, col.2, lines 54-64, col.3, lines 21-29. Indeed, as understood, Bauchot discloses an approach which uses a variable length time division frame structure with inbound and outbound traffic interleaving, and in particular, using a packet-switched architecture where several remote stations within a given cell communication with a base station. See Bauchot, col.2, lines 23-30. In other words, as understood, Bauchot is directed to data communication from the base station to remote stations (outbound), and from the remote stations to the base station (inbound). See Bauchot, col. 3, lines 20-29.

On the other hand, claim 1 of the present application is now directed to a combination including at least three transceivers, each said transceiver having a transmitter and a receiver, one of said transceivers being structured and configured as a master device, said master device structured and configured to manage data transmission between said master device and said at least two other transceivers and data transmission between said at least two other transceivers. **Claim 10** is now directed to a combination including (a) at least three transceivers, one of which is structured and configured as a master device to manage data transmission between said master device and said at least two other transceivers and data transmission between said at least two other transceivers; (b) a transmitter in each said transceiver; and (c) a receiver in each said transceiver. Finally, **claim 16** is directed to a combination including the steps of (a) providing a master transceiver; (b) providing a plurality of slave transceivers in communication with said master transceiver; (c) synchronizing said slave transceivers with said master transceiver; (d) providing a Medium Access Control protocol which is executed in said master transceiver and in said slave transceivers, said protocol including a Time Division Multiple Access frame definition

Docket No.: FANT-P002

PATENT

-18-

having a master slot, a command slot, a plurality of variable length data slots; (e) requesting a data slot from said master transceiver by a source slave transceiver; (f) assigning to said source slave transceiver an assigned data slot by said master transceiver; and (g) after said assigning step, transferring data in said assigned data slot, by said source slave transceiver, to a target slave transceiver, said data transferring carried out without intervention from said master transceiver.

Indeed, as understood, the Bauchot does not teach or render obvious the claimed invention set forth in the pending independent claims 1, 10 and 16 of the present application. Therefore, Applicants respectfully submit that claims 1, 10, and 16, and claims 2, 4, 6-8, and 11-14 dependent therefrom, respectively, are allowable.

### III. Allowable Subject Matter and New Claims

Claims 3, 5, 9 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. See Office Action, p.4.

As can be seen from the above, claims 3, 5, 9 and 15 are cancelled from the present application without prejudice, and rewritten in independent form as new claims 17, 51, 76 and 93, respectively, incorporating all of the limitations of the base claim and any intervening claims.

Therefore, Applicants respectfully submit that new claims 17, 51, 76 and 93, and claims 18-50, 52-75, 77-93 and 93-103 dependent therefrom, respectively, are allowable.

Docket No.: FANT-P002

PATENT

-19-

For the foregoing reasons, it is submitted that all of the claims are now in condition for allowance and the Examiner's early re-examination and reconsideration is respectfully requested.

Respectfully submitted,

SIERRA PATENT GROUP, LTD.

Dated: 2/26/01



Seong-Kun Oh

Recognition Under 37 CFR §10.9(b)

Sierra Patent Group  
P.O. Box 6149  
Stateline, NV 89449  
(775) 586-9500